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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION No. 1873 OF 2007**

Adinath Bapu Waghmode ..**Applicant**

Vs.

The State of Maharashtra .. **Respondent**

Mr. V. V. Purvant, Advocate for the applicant.

Ms. U. V. Nikam, APP for the State, Respondent.

**CORAM : V. C. DAGA,J.**

**DATE : JULY 5, 2007**

**PC**

. Heard the learned counsel for the applicant and the learned APP for the respondent State. The offence alleged against the applicant is under Sec. 376, 363, 506 of Indian Penal Code, registered at Karmala Police Station, vide C.R. No. 23 of 2007. Accused was arrested on 1-2-2007 and since then he is in custody. The investigation is already complete and charge sheet is also filed. The learned APP submits that the custody of the applicant is not necessary. It appears that on the date of offence i.e. on 27-1-2007 applicant appeared to be of 16 and half years of age. Since the date of the birth of prosecutrix is 1-7-1990. Having taken prima-facie view of the matter in the backdrop of the contentions sought to be put in service and considering that the applicant and the

prosecutrix were having love affairs, I am inclined to grant bail, on the following conditions.

(i) That the applicant shall be released on furnishing security in the sum of Rs.25,000/- with one or two sureties to make up the amount of security.

(ii) That the applicant shall report at Karmala Police Station on every Monday between 3 to 5 p.m.

(iii) As and when called by the police on any other date, other than the date mentioned herein, the applicant shall appear and cooperate with the police authorities.

(iv) The applicant contact any of the witnesses or the prosecutrix or other witnesses so long as he is on bail.

(v) Breach of either of the conditions would result in cancellation of the bail.

The application is accor

disposed off, with no orders as to costs.

Sd/-

**[ V. C. DAGA, J. ]**